

Appl. # 10/651,059  
Amdt. dated June 27, 2005  
Reply to Office action of April 26, 2005

Claim 1 (withdrawn): A dental matrix band comprising a flat flexible body of material having a hole positioned within the general confines of said body and a notch positioned on the inferior border of said flat flexible body.

Claim 1 (new): A dental matrix band for restoring a tooth with restorative material, the dental matrix band comprising:

- (a) a boomerang-shaped body to wrap completely around a tooth; and
- (b) intact uninterrupted extrusion holes or apertures within said body to specifically align with the prepared inter-proximal surface or surfaces of a tooth.

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Claim 2 (withdrawn): The matrix band of claim 1 wherein said flexible body has a contiguous appendage medially located above said hole and said notch.

Claim 2 (new): The dental matrix band of claim 1 wherein said extrusion aperture is continuous, uninterrupted, possesses one or more notches in its periphery, and is enveloped by the expanse of said boomerang-shaped body.

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Claim 3 (withdrawn): The matrix band of claim 1 wherein said flexible body is stainless steel.

Claim 3 (new): The dental matrix band of claim 1 where said notches are located medially in a superior-inferior position on the periphery of said extrusion aperture.

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Claim 4 (withdrawn): The matrix band of claim 1 wherein said hole is generally located near the center of said flexible body.

Claim 4 (new): The dental matrix band of claim 1 wherein said boomerang-shaped body possesses a contiguous appendage directly superior to said notched extrusion aperture.

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Claim 5 (withdrawn): The matrix band of claim 1 wherein said hole is generally ovoid.

Claim 5 (new): A dental matrix band comprising a boomerang shape body of metal with an uninterrupted, notched extrusion aperture located to specifically align with the interproximal surface of a prepared tooth.

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Claim 6 (withdrawn): The matrix band of claim 1 wherein said notch is generally wedge-shaped and has an apex oriented superiorly to align with the medial aspects of said hole and said appendage.

Claim 6 (new): The dental matrix band of claim 5 wherein said boomerang shaped body possesses a contiguous appendage directly superior to said notched uninterrupted extrusion aperture to serve as an orientation guide.

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**Claim 7 (withdrawn):** A matrix band comprising a flat flexible body of material with an aperture located within the general confines of said flat flexible body and a means for separating said flexible body through a predetermined location of said aperture.

**Claim 7 (new):** The dental matrix band of claim 5 wherein said contiguous appendage serves as an initiation point for band separation.

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Claim 8 (withdrawn): The matrix band of claim 7 wherein said flat flexible body has a contiguous appendage located superior to said aperture.

Claim 8 (new): The dental matrix band of claim 5 wherein said aperture containing said notches allows for band separation upon severance initiation of said contiguous appendage.



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Claim 9 (withdrawn): The matrix band of claim 8 wherein said appendage is a semi-circular expanse contiguous to said flat flexible body.

Claim 9 (new): A method of achieving positive inter-proximal contact of a filled tooth to contact its abutting neighbor comprising:

- (a) a flat boomerang-shaped body of material possessing an uninterrupted extrusion aperture that has a superiorly positioned supportive appendage contiguous to said boomerang-shaped body and a separation notch or notches in medial alignment with said aperture and said supportive appendage.
- (b) providing a decayed tooth and prepping said decayed tooth with an appropriate instrument.
- (c) attaching said boomerang-shaped body to a retainer and place circumferentially around said decayed prepared tooth,
- (d) said aperture is positioned to directly oppose an inter-proximal area of a tooth adjacent to said decayed prepped tooth,
- (e) a restorative material is introduced within said prepped decayed tooth and compacted with a condensing instrument with said restorative material passing through said extrusion aperture and contacting said adjacent abutting tooth.

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Claim 10 (withdrawn): The matrix band of claim 8 wherein said flexible body is stainless steel.

Claim 10: (new): A method for removing a matrix band placed circumferentially around a tooth comprising:

- a) providing a body of material possessing one or more notches within its aperture to allow for band separation upon application of a force.
- (b) attaching said body to a retaining device and placing the body circumferentially around a tooth with one or more prepared inter-proximal surfaces.
- (c) applying an initiating separation cut to the superior aspect of said semi-circular appendage.
- (d) providing a constrictive force to effect a lateral separation of said body through said at least one aperture.
- (e) removing said separated non-disjoined flexible body from said restored tooth.

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Claim 11 (cancelled)

Claim 12 (cancelled)

Claim 13 (cancelled)

Claim 14 (cancelled)

Claim 15 (cancelled)

Claim 16 (cancelled)

Claim 17 (cancelled)

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### Response to Prior Arts Comparison:

Re: Claim 1.

Curan teaches a flexible body which does **not** circumferentially surround the tooth.

Re: Claims 1-3: Curan teaches a flat flexible body which in fact possess a series of holes intended for **grasping** or **retaining** and ultimately for separation. The holes are not intended for nor are they to be used for resin extrusion. Furthermore, the holes are strategically located as to purposely not coincide with the inter-proximal area of the pre-prepped area of the tooth to be filled. The separating notch is not associated within an extrusion hole or aperture or a contiguous structure.

Re: Claim 10: Curan teaches a band which requires retaining and separating instrumentation peculiar to its own design, and is not compatible with a standard Tofflemire retainer.

Re: Claims 4, 6: Curan does not teach a boomerang-shaped body with a contiguous sighting appendage intimate to an extrusion aperture.

Re: Claim 8: Curan does not teach a notched extrusion aperture which is essential for band separation.

Re: Claim 9: The art of record fails to disclose a matrix band which possesses an aperture for the exclusive purpose of allowing a restorative material to intentionally pass through it during the restorative phase of repairing a decayed tooth. Furthermore, the art of record fails to teach a matrix band whose separation upon completion of the restoration is exclusively dependent upon notches incorporated within the periphery of the extrusion aperture.

Lazarus (US 3921299) teaches tear-resistant notches column 4 lines 15-18 (Still another object of this improved invention is to provide a pair of cooperating tear resistant notches in the matrix blank for holding and positioning the lock loop on the matrix.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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